

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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Date of mailing (day/month/year) 08 February 2007 (08.02.2007)	
Applicant's or agent's file reference 5467 sgr	IMPORTANT NOTIFICATION
International application No. PCT/EP2004/003677	International filing date (day/month/year) 06 April 2004 (06.04.2004)
Applicant SATA FARBSPRITZTECHNIK GMBH & CO. KG et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

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3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 5467 sgri	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/003677	International filing date (day/month/year) 06.04.2004	Priority date (day/month/year) 16.02.2004
International Patent Classification (IPC) or national classification and IPC B05B7/24		

Applicant

SATA FARBSPRITZTECHNIK GMBH & CO. KG

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of _____ sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising:	
a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>3</u> sheets, as follows:	
<input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).	
<input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.	
b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003677

Box No. 1

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☒ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-7 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-15 _____ received by this Authority on 30.03.2006 with letter
- nos.* _____ received by this Authority on of 27.03.2006
- ☒ the drawings:
- sheets 1/7-7/7 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-15

YES

Claims

NO

Inventive step (IS)

Claims 1-15

YES

Claims

NO

Industrial applicability (IA)

Claims 1-15

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: WO 98/32539 A (DOUGLAS MALCOLM F; BUTLER ALAN F (GB); BASTOW DAVID R (GB); JOSEPH ST) 30 July 1998 (1998-07-30) mentioned in the application
- D2: US-A-3 524 589 (PELTON PAUL P JR) 18 August 1970 (1970-08-18)

1. Document D1 is considered to be the closest prior art in relation to the subject matter of claim 1. It discloses (the references between parentheses refer to this document):

- 1.1 A fluid reservoir for a paint spray gun with a container (11) and a lid (15) which can be mounted thereon and has a connection part in order to mount the fluid reservoir on the paint spray gun or an adapter, the container (11) having a ventilation opening which can be closed by means of a valve. (see page 15, line 30 to page 16, line 3 and figures 3,4,12,15).

- 1.2 The subject matter of claim 1 therefore differs

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>from the known fluid reservoir in that the valve comprises a valve housing arranged on the container and a corresponding closure element and two valve seats arranged one behind the other in the flow direction, wherein the closure element can be displaced in relation to the valve housing between a first valve position, in which the ventilation opening is closed, and a second valve position, in which pressure compensation between the interior of the container and the surrounding environment is made possible, and can be fixed to the valve housing via a catching or clamping mechanism in the first valve position and the second valve position.</p> <p>1.3 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).</p> <p>1.4 The problem addressed by the present invention can therefore be considered that of providing a valve which is easier to operate.</p> <p>1.5 The solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons:</p> <ul style="list-style-type: none">- while document D2 discloses a valve with two valve seats arranged one behind the other in the flow direction, this valve cannot be displaced between an open and a closed state by means of a closure element;- opening and closing is possible only by means of

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>turning a screw; this problem is not solved by D2; - no other document discloses or suggests this subject matter.</p> <p>2. Claims 2-15 are dependent on claim 1 and thus likewise meet the PCT requirements for novelty and inventive step.</p> <p>3. The subject matter of claims 1-15 is industrially applicable in fluid reservoirs for paint spray guns.</p> <p>S. van de Bijl</p>